## **REMARKS**

In response to the Notice of Non-Compliant Amendment mailed on August 23, 2004, Applicants submit the following remarks.

Per an August 24, 2004 telephone conversation between the undersigned attorney and Ms. Eugenia V. Hardy (Legal Instruments Examiner) of the U.S. Patent and Trademark Office, Applicants were advised by Ms. Hardy that the Notice of Non-Compliant Amendment mailed on August 23, 2004 was sent in error, and that Applicants need not reply thereto. Furthermore, per a September 2, 2004 telephone conversation between the undersigned attorney and Ms. Marie R. Yamnitzky (Primary Examiner) of the U.S. Patent and Trademark Office, Applicants were advised by Ms. Yamnitzky that a scanning error led to the erroneous mailing of the Notice of Non-Compliant Amendment.

Therefore, it is the Applicants' understanding that no further reply to the Notice of Non-Compliant Amendment is required.

Appl. No. 09/978,455 Amendment Page 3

Applicants respectfully submit that the pending claims are now in condition for allowance and request that such action be taken. If for any reason the Examiner believes that prosecution of this application would be advanced by contact with the Applicants' attorney, the Examiner is invited to contact the undersigned attorney at the telephone number given below.

Respectfully submitted, KENYON & KENYON

Dated: September 3, 2004

By:

Kevin T. Godlewski Reg. No. 47,598 One Broadway

New York, NY 10004

(212) 425-7200